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6 IN THE UNITED STATES DISTRICT COURT
7 DISTRICT OF ARIZONA

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9 United States of America,

10 Plaintiff,

11 vs.

12 Adalberto Montenegro-Enriquez,

13 Defendant.

No. 08-7334-2-M

ORDER

14 HAVING considered Defendant's Amended Motion to Extend Time to Indict
15 and good cause having been shown;

16 THE COURT makes the following findings:

- 17 1. Counsel for defendant has only recently been appointed;
- 18 2. The defendant earnestly wishes to consider the plea offer extended by
19 the government;
- 20 3. The defendant wishes to investigate possible defenses prior to
21 considering the government's plea offer;
- 22 4. The government's plea offer, if accepted by the defendant and then the
23 court, would likely reduce defendant's exposure to a significant term
24 of imprisonment;
- 25 5. If the defendant does not timely accept the plea offer prior to
26 indictment, the government will withdraw said plea offer and any
27 subsequent plea offer after indictment would likely be less
28 advantageous to the defendant;
6. Failure to extend time for indictment in this instance would thus operate
to bar defendant from reviewing the government's plea offer in a
meaningful way prior to indictment; and
7. The ends of justice served by this continuance outweigh the best
interest of the public and the defendant in a speedy indictment.

IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment requesting an extension of thirty (30) days within the government may seek to indict defendant, is hereby granted.

DATED this 19th day of September, 2008.

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